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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/978,549	10/18/2001	Pyeong Su Jeong	K-0333	5060

7590 01/02/2003

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EXAMINER

DAY, MICHAEL HENRY

ART UNIT	PAPER NUMBER
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2879

DATE MAILED: 01/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/978,549

Applicant(s)

P. Jeong, et al.

Examiner

Michael Day

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Oct 18, 2001 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other:

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DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

Referring to page 11, lines 15-21, esp. lines 17 and 21, FIG. 7-9 do not illustrate the fixing means 300. FIG. 7-9 do illustrate the fixing means 200.

Referring to page 14, lines 10-14, the subject sentence is unintelligible. The phrase, “a fitting part 310 having one sides of the holding part 350 and guiding part 320 connected thereto and joined to the shadow mask as a whole” is grammatically incorrect and unintelligible.

Appropriate correction is required.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the subject matter of claim 4 must be shown or the features canceled from the claim. No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

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Claim Objections

3. Claim 19 is objected to because of the following informalities: The abbreviation, "approx." is objectionable as it is grammatically incorrect. Here it is understood that the applicant intended to use the adverb, "approximately." Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is incomplete because it includes insufficient recited structure to support the claimed functional language. For example, it is unclear as to how the claimed anti-howling device is "to disperse the vibration by impact and friction between the contact members and the shadow mask." The subject anti-howling device does not include a shadow mask, therefore it is unclear as to how claimed anti-howling device can "disperse the vibration by impact and friction between the contact members and the shadow mask. It would appear that the applicant intended to claim a color CRT having an anti-howling device, or the like. Here it is noted that intended use

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statements in the preamble of the claim, such as the presently recited “in a cathode ray tube,” are afforded little patentable weight.

Referring to claims 2, and 3, there is insufficient antecedent basis for “the contact member.” Here it is understood that the applicant is referring to “the contact members.”

Referring to claim 4, it is unclear as to how the connecting member can have a form actually identical to the contact member when the contact part has a pass through-hole at one side, and a connecting part formed as a unit with the contact part. See FIG. 5C and related portions of the instant specification. Also, there is insufficient antecedent basis for “the contact member.” Here it is understood that the applicant is referring to “the contact members.”

Referring to claim 15, it is unclear as to how the fitting part recess can be projected in a direction of the mask when an anti-howling device does not include a mask.

Referring to claim 20, it is unclear as to the intended meaning of the limitation, “a fitting part 310 having one sides of the holding part and guiding part connected thereto.” It is the position of the examiner that the subject limitation is grammatically incorrect and unintelligible. Furthermore the specification provide no insight as to the intended meaning.

Claims 10 and 21 are rejected for similar reasons to claim 1. It is unclear as to how the fitting part can be fixed to the mask holding frame when an anti-howling device does not include the mask holding frame. Similarly, and referring to claims 9, and 22, it is unclear as to how the fitting means or fitting part can be fixed to the mask when an anti-howling device does not include a mask. It is noted that there is insufficient antecedent basis for the recited, “mask holding

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frame.” It would appear that the applicant intended to claim a color CRT having an anti-howling device, or the like.

Claims 5-7, 11-14, 16-19, 22, and 23 are rejected for depending from a rejected claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 3, 5-9, 11, 12, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Adler et al. Adler et al. disclose an anti-howling device including substantially as claimed. See FIG. 6, and respective portions of the specification.

Referring to claim 1, Adler et al. disclose an anti-howling device including an anti-howling means having contact members (bushings 78) each in vibration contact with a shadow mask 35, and connecting members (see col. 7, lines 33-35, transmission line 74), fixing means (bracket 66, bar 64 and support 76).

Referring to claim 3, Adler et al. disclose an anti-howling device wherein the contact members (bushings 78) are cylindrical. See FIG. 6.

Referring to claim 5, Adler et al. disclose an anti-howling device wherein the contact members (bushings 78) are rings.

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Referring to claim 6, Adler et al. disclose an anti-howling device wherein the connecting members (transmission line 74) have ring forms. See FIG. 6, and note that line 74 includes connecting end rings.

Claim 7-9 are rejected for the same reason as claim 1.

Referring to claims 11 and 12, Adler et al. disclose an anti-howling device wherein the fixing means includes holding parts (rigid means 62 and support 76) and fitting parts (bracket 66).

Referring to claim 16, Adler et al. disclose an anti-howling device wherein the fixing means further includes a connecting part (see col. 6, line 1, spot weld).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adler et al.

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Adler et al. disclose an anti-howling device of claim 1 wherein the contact members (bushings 78) are cylindrical. See FIG. 6. Adler et al. do not disclose an anti-howling device wherein the contact members (bushings 78) are spherical. Changes in shape are generally considered within the skill of the art. It would have been obvious to one having ordinary skill in the art to make the contact members (cylindrical bushings 78) spherical, because changes in shape are generally considered within the skill of the art.

Allowable Subject Matter

10. Claims 13-15, 17-23 would be allowable over the art of record if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

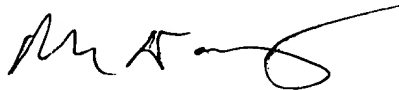
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Day whose telephone number is 703/305-4941. The examiner can normally be reached on Monday-Friday, from 8:00 A.M. to 5:00 P.M.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel, can be reached by phoning 703/305-4794. The Fax phone number is 703/308-7382.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is 703/308-0956.

December 27, 2002

A handwritten signature in black ink, appearing to read 'Michael Day', with a stylized flourish at the end.

**MICHAEL DAY
PRIMARY EXAMINER
GROUP 2870**